

1 RENE L. VALLADARES
Federal Public Defender
2 State Bar No. 11479
BRENDA WEKSLER
3 Assistant Federal Public Defender
411 E. Bonneville Ave., Suite 250
4 Las Vegas, Nevada 89101
Tel: (702) 388-6577
5 Fax: (702) 388-6261

6 Attorney for:
DUSTIN MCCASKILL
7

8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 UNITED STATES OF AMERICA,
11 Plaintiff,
12 vs.
13 DUSTIN MCCASKILL ,
14 Defendant.

Case No.: 2:15-cr-00030-GMN-CWH

STIPULATION TO EXTEND
RESPONSE DEADLINE
(Sixth Request)

15
16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United
17 States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United
18 States of America, and Rene L. Valladares, Federal Public Defender, and BRENDA WEKSLER,
19 Assistant Federal Public Defender, counsel for DUSTIN MCCASKILL, that the parties herein shall
20 have to and including July 2, 2015, by the hour of 4:00 p.m., within which to file any and all
21 responsive pleadings.

22 IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall
23 have to and including July 9, 2015, by the hour of 4:00 p.m., within which to file any and all replies
24 to dispositive motions.

25 This Stipulation is entered into for the following reasons:

- 26 1. The client is in custody and does not oppose the continuance.
27 2. The parties have reached a negotiated resolution which will obviate the need for the
28 Government to respond in this matter.

1 3. The additional time requested herein is not sought for purposes of delay, but merely
2 to allow the parties to complete the pretrial motions process.

3 4. Denial of this request for continuance would deny counsel for the defendant sufficient
4 time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking
5 into account the exercise of due diligence.

6 5. Additionally, denial of this request for continuance could result in a miscarriage of
7 justice. The additional time requested by this Stipulation is excludable in computing the time within
8 which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States
9 Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors
10 under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

11 6. This is the sixth stipulation to continue filed herein.

12 DATED: June 8, 2015

13
14 RENE L. VALLADARES
15 Federal Public Defender

 DANIEL G. BOGDEN
 United States Attorney

16 By: /s/ Brenda Weksler
17 BRENDA WEKSLER,
 Assistant Federal Public Defender

By: /s/ Phillip N. Smith, Jr.
 PHILLIP N. SMITH, JR.,
 Assistant United States Attorney

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUSTIN MCCASKILL ,

Defendant.

Case No.: **15-cr-00030-GMN-CWH**

FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The client is in custody and does not oppose the continuance.
2. The parties have reached a negotiated resolution which will obviate the need for the Government to respond in this matter.
3. The additional time requested herein is not sought for purposes of delay, but merely to allow the parties to complete the pretrial motions process.
4. Denial of this request for continuance would deny counsel for the defendant sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of defense, taking into account the exercise of due diligence.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice. The additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, § 3161(h)(1)(D) and Title 18, United States Code, § 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).
6. This is the sixth stipulation to continue filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the motion dates.

CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for trial, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, §§ 3161(h)(1)(A), 3161(h)(7) and Title 18 United States Code, § 3161 (h)(7)(A), when considering the facts under Title 18, United States Code, §§ 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED, that the parties herein shall have to and including July 2, 2015, by the hour of 4:00 p.m., within which to file any and all responsive pleadings.

IT IS FURTHER STIPULATED AND AGREED, by and between the parties, that they shall have to and including July 9, 2015, by the hour of 4:00 p.m., within which to file any and all replies to dispositive motions.

DATED this ^{9th} _____ day of June , 2015.


UNITED STATES MAGISTRATE JUDGE